

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

RALPH D. PLOIUM,)	
)	
Plaintiff,)	NO. 3:16-cv-5881-BAT
)	
vs.)	ORDER GRANTING PLAINTIFF'S
)	UNOPPOSED MOTION FOR RELIEF
NANCY A. BERRYHILL,)	PURSUANT TO FRCP 60(b), AND
Acting Commissioner of Social Security,)	AWARDING ADDITIONAL EAJA FEES
)	
Defendant.)	

THIS MATTER having come on regularly before the undersigned upon Plaintiff's Unopposed Motion for Relief Pursuant to FRCP 60(b), good cause having been shown, now, therefore, it is hereby

ORDERED that Plaintiff's Order for Relief Pursuant to FRCP 60(b) is hereby granted; it is further

ORDERED that Plaintiff is hereby awarded additional EAJA fees in the amount of \$4,798.81. Subject to any offset allowed under the Treasury Offset Program, as discussed in *Astrue v. Ratliff*, 130 S. Ct. 2521, 2528 (2010), payment of this award shall be sent to Plaintiff's attorney

1 Eitan Kassel Yanich at his address: Eitan Kassel Yanich, PLLC, 203 Fourth Avenue E., Suite 321,
2 Olympia, WA. 98501.

3 After the Court issues the order for EAJA fees, the Commissioner will consider the matter
4 of Plaintiff's assignment of EAJA fees and expenses to Plaintiff's attorney. Pursuant to *Astrue v.*
5 *Ratliff*, the ability to honor the assignment will depend on whether the EAJA fees and expenses
6 are subject to any offset allowed under the Treasury Offset Program. The Commissioner agrees
7 to contact the Department of Treasury after the order for EAJA fees and expenses is entered to
8 determine whether the EAJA fees and expenses are subject to any offset. If the EAJA fees and
9 expenses are not subject to any offset, the EAJA attorney's fees and expenses will be paid directly
10 to plaintiff's attorney Eitan Kassel Yanich, either by direct deposit or by check payable to him and
11 mailed to his address.

12 DATED this 20th day of November, 2017.

13 

14 BRIAN A. TSUCHIDA
15 United States Magistrate Judge

16 Presented by:

17
18 S/EITAN KASSEL YANICH
19 EITAN KASSEL YANICH, WSBA #13690
Attorney for Plaintiff